

TENNESSEE DEPARTMENT OF HEALTH
BUREAU OF LICENSURE AND REGULATION
DIVISION OF EMERGENCY MEDICAL SERVICES
TENNESSEE EMS BOARD MEETING
JUNE 22, 2005

APPROVED 9/14/05

Chairman Darren Ellenburg called the meeting to order at 9:00 a.m. The meeting was conducted in the Cumberland Room, on the Ground Floor of the Cordell Hull Building, located at 425 Fifth Avenue North in Nashville, Tennessee.

Chairman Ellenburg welcomed everyone in attendance, and recognized the EMT and Paramedic students from Northeast State and Southwest Community College.

The first item on the agenda was the Conflict of Interest Policy. Advisory legal counsel, Ms. Juanita Presley, presented the report. Due to changes in the form, Ms. Presley reminded the board members of their responsibility to disclose any knowledge of a situation; such as, having a pecuniary interest, and/or if they are an employee of an agency that has an issue coming before the Board.

Previously, board members were allowed to remain in the room while the deliberations and vote took place; however, now one must divulge the knowledge, recuse himself, and leave the room.

The Conflict of Interest Policy also applies to the committees of the Board, since the committees are extensions of the Board. Issues are sent to committees for further information, which will report back to the Board for input or a decision.

She asked the board members to sign the new Conflict of Interest Policy after the meeting.

The roll call was taken as follows:

Dr. Charles Alderson	present
David Baxter	present
Susan Breeden	present
Robert Byrd	present
Dr. Julie Dunn	present
Larry Griffin	present
Mark King	present
Donald Mosby	present
Dr. Steve White	absent (<i>arrived</i> 9:06)
Ken Wilkerson	present
Jackie Wilkerson	absent (<i>arrived</i> 9:15)
Chairman Darren Ellenburg	present

Chairman Ellenburg declared a quorum was present to conduct the business of the day.

OFFICE OF GENERAL COUNSEL REPORT

Ms. Presley distributed her report to the Board, and explained the rules tracking report. The tracking report showed the following:

Rule 1200-12-1-.16; Emergency Medical First Responders

This rule has been through rulemaking hearing and had been approved by the Board. It was sent to the Attorney General's office May 13 for approval.

Rule 1200-12-3; Responding Agencies for Cardiac Emergencies

The rule has been through all processes, and was signed off on June 17 and sent to the Attorney General's office.

Rule 1200-12-1-.04; Emergency Medical Technician (Amendment)

This rule amendment was to come before the Board.

Rule 1200-12-1-.06; Schedule of Fees (relative to Critical Care EMT-P)

This change was also to come before the Board for consideration.

Rule 1200-12-1-.03; Emergency Medical Supplies and Equipment (Amendment)

The amended rule had already been approved by the Board, Office of General Counsel and was sent to the Attorney General's office June 7, 2005.

Rule 1200-12-1-.19; Automated External Defibrillator Programs (relative to approved training programs)

The rule was sent to the Attorney General's Office on May 31, 2005 and remains in their office.

Rule 1200-12-1-.03; Rule 1200-12-1-.04; Emergency Medical Technician (EMT)

Relative to the retirement of licenses

Rule 1200-12-1-.06; Schedule of Fees

Relative to examination fees

Rule 1200-12-1-.07; Insurance Coverage

Rule 1200-12-1-.16; Emergency Medical First Responders

To approved airway devices for Emergency Medical First Responders; this rule has been through the process and is at the Attorney General's Office.

Rule 1200-12-1-.15 (2); Ambulance Service Records

Ambulance service records involving dispatch logs, data set, run reports and hospital information has recently been approved by the Office of General Counsel and will be sent to the Attorney General's Office.

Rule 1200-12-1.04; Emergency Medical Technician (Amendment); and,

Rule 1200-12-1-.18; Emergency Medical Dispatcher Standards (Amendment)

Relative to criminal background checks; Board will address at this meeting.

Contested cases on the day's agenda are: Kelly Hinkle, S.Lanette Stratton, Michael Fuller, Rhonda Harris, and Tracy Sebastian.

Letters of Reprimand were considered for: Americare Ambulance Service, Romney Cummings and Kristi Kohser.

The Consent Orders before the Board were Michael Couch, Richard Moss, Gregory Craven and Christopher Wilson.

REPORT FROM RULEMAKING HEARING JUNE 16, 2005

Criminal Background Checks

Richard Land reported the rulemaking hearing was conducted on June 16, 2005. There were no attendees and no comments were received. He reminded the Board of the Commissioner's wish for all licensed health professionals to undergo a criminal background check upon their initial application. The background check will be handled by an outside agency that is contracted with the Tennessee Bureau of Investigation. The applicant will be responsible for the expense of the procedure.

The board members reviewed the documents on this proposed rule; there were questions concerning an ambulance service having access to this report. Mr. Land replied the individual could decide to divulge the information contained in the report to the service employer. Some ambulance services already do the background checks, however, it has not been required for initial application, and this procedure does not apply to the certification for First Responders. The

background checks are for initial applications of EMTs, EMT-Paramedics and Emergency Medical Dispatchers.

The Chair entertained a motion to accept or to deny. Larry Griffin moved to adopt and it was seconded by Ken Wilkerson. A roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION PASSED

CONSIDERATION FOR RULEMAKING

Mr. Land reported on potential amendments to rules and new rules for rulemaking hearings. There are proposed changes to the Emergency Medical Technician rules and Schedule of Fees. Also, the issues related to Critical Care Paramedics and the issue of EMTs and EMT-P working in hospitals.

The amendments to the Emergency Medical Technician rule will repeal the previously adopted requirements for the associate's degree. Also, the fees for license endorsements and initial application fees for Emergency Medical Professional Instructors and assistants will be modified.

The testing requirements for the written examination will be modified by the reference to the "National Registry" taken out and replaced with "achieve a passing score on a Board approved examination", which could still be the National Registry.

The reinstatement of a lapsed license will be modified to a two (2) year period for both EMTs and EMT-Paramedics and clarifies the standardized procedures with the written and practical testing for a person within the two (2) year period. After the two (2) year period, the regulations already state the process for reinstatement. This part will also integrate the new changes for the "out-of-state" requirements for licensure.

Donna Tidwell reported on the reciprocity issue for out-of-state, military and out-of-country.

Persons in the military do not normally have another state's license; however, they do have their National Registry. Having the National Registry license allows

Tennessee to process the reciprocity for individuals that meet the criteria for Tennessee licensure. The out-of-state applicants who are civilians of the United States must be licensed in another state or have completed a DOT curriculum or equivalent. The out-of-country applicants must be licensed in their country and have the equivalent courses.

By removing the associate degree requirement in Rule.04, this section of the rule will call for a “re-numbering” of that rule. The deletion of this section for the associate degree is referred to as “the repeal” of that section.

Ken Wilkerson made the motion for .04 to be approved as presented and sent to rulemaking; seconded by Jackie Wilkerson. By a roll call vote of,

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION PASSED

CRITICAL CARE PARAMEDIC-RICHARD LAND AND DONNA TIDWELL

This proposed rule will establish the Critical Care Paramedic endorsement. This rule will be listed under a new chapter number so the Critical Care Paramedic will be a separate issue and apart from the existing regulations for EMT and EMT-P.

Chairman Ellenburg reminded the board members this chapter for the Critical Care Paramedic had been in subcommittee for two (2) years with the Board getting the periodic reports of the progress. The Board approved the scope of practice last year.

The paramedic must be in “good standing” with Tennessee and have met all the requirements of .04.

A Tennessee paramedic must complete a Board approved Critical Care Paramedic program, and successfully complete a passing score as established by the Board on the approved endorsement exam. Three (3) attempts will be allowed to pass the exam, and then remediation would have to be shown from their critical care program before the exam could be taken again.

Three (3) more attempts would be allowed, but after the sixth failed attempt in less than two (2) years, they would have to go through the training again.

The endorsement has to be obtained within two (2) years after completion of the approved course.

Individuals completing the paramedic course prior to the effective date of the rule would make application for endorsement. They must show documentation of the completion of the Critical Care Paramedic course and complete a qualifying exam as outlined. They will have two years to complete the examination requirements before they have to repeat the course. The “Board approved course was not inserted, since the applicant would have already taken the Board approved course. However, the individual would have to show documentation of completion of a critical care program. This procedure will be termed the “Grandfather Clause”.

This regulation will also address the students in the program allowing them to utilize the procedures under medical control as identified in the scope of practice so the hospitals will have understanding of their authorization in a clinical setting.

The continuing education for the critical care paramedic will be 80 hours plus 10 additional hours of education contact hours in critical care topics. These hours must be within their two (2) years period.

Evidence of continuing competency will be needed such as in-service, attendance and participation in other critical care programs as the new programs are developed.

Facilities, institutions, or agencies who want to offer the program will have to have a philosophy and purpose for their program; and, show capabilities of being able to support the program both financially and in clinical support. Record maintenance will be reviewed by the Division to ensure the requirements of the rules and regulations are being met.

Faculty will need experience in the field area of the course content such as, but not limited to, critical care professionals, attorneys, and registered respiratory therapists. Medical direction will be a requirement for the courses.

Students admitted into the program must hold a Tennessee license with a minimum of two years as an advanced care provider, a certification in advance care life support, pediatric advance life support and advance trauma care.

In summary, the regulation is structured to establish the preamble and the language for the endorsement. The scope of practice will be defined under Section 2 to establish the requirements for application and endorsement of the Critical Care Paramedic. The next part will clarify and establish the requirements for the Critical Care Paramedic training programs.

Ms. Tidwell made a few clarifications and corrections for the Board during questions. One of these were the correction of proposed educational standards and objectives, earlier reported as 30 hours, but corrected to a minimum of at least 80 hours.

Robert Byrd moved to accept the proposed rules for Critical Care Paramedic; seconded by Jackie Wilkerson. During discussion Dr. White ask if the wording of number (1) could be clean up because it sounded like it was talking about a GPS device.

Mr. Byrd accepted a friendly amendment to include such language. David Baxter offered the second on the language modification to the original amendment. A roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION PASSED UNANIMOUSLY

EMT/PARAMEDICS WORKING IN HOSPITALS-RICHARD LAND

Richard Land presented the information for consideration of a rule to establish and better define the practice and responsibility of both EMTs and paramedics that function within the hospital emergency services setting. This will clarify the extended skills and procedures that are authorized by the Board under the scope of practice for EMTs and paramedics in paragraph (3) of Rule 1200-12-1-.04.

Also, this definition will require the EMT and paramedic to demonstrate their continued training and competence to perform their professional duties while engaged in a hospital emergency setting. The hospitals must maintain evidence of the employed personnel competence, such as any in-service records or credentials the person would have to have.

After the critical care paramedic endorsement goes through the rule process, the section will be revisited to amend their scope of practice.

A motion was made by Ken Wilkerson to approve as presented and to send to rulemaking. Don Mosby seconded the motion. The roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
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David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION PASSED UNANIMOUSLY

CLINICAL ISSUES COMMITTEE-DR. JOE HOLLEY

The Clinical Issues Committee wanted to bring to the Board's attention the use of CPAP (continuous positive airway pressure) devices. Information on the device was distributed to the Board. Several ambulance services are using these devices with very positive results, and the device is being used more in pre-hospital settings. Dr. Holley asked for the Board's consideration for the concept of such a device. Chairman Ellenburg told the Board the device is currently in the curriculum, and is mentioned in the 1998 National Standard Paramedic Curriculum.

Dr. Holley was asked about using the device for pediatrics; however, he said there very little information for use on pediatric patients and felt the device was currently an "adult-only" concept. Richard Land added the particular manufacturer included recommended protocols and the use should be with the medical director's approval.

Dr. Holley said he would modify the State's protocol if the device was approved. Jackie Wilkerson asked Dr. Holley whether there would be any conflict between the device and transport ventilators. Dr. Holley replied this was a totally separate item, and had nothing to do with transport ventilators. Robert Byrd asked about the price range. Richard Land said the cost for this particular device was around nine hundred dollars (\$900.00); however, Dr. Holley added most of the major part of the equipment was reusable except for patient contact items, such as masks and tubing.

The Chair entertained a move to accept as an approved airway device in Tennessee for paramedic use. Jackie Wilkerson moved to approve this device and to add the modification to the current protocols; seconded by Dr. White. The vote was taken by roll call. All members, including the Chair, voted yes. MOTION PASSES UNAMIOUSLY.

Dr. Holley announced the funding for the regional control center concept. Also, the next medical director's conference would be in Nashville on October 27, 2005. The committee is also in the process of investigating the concept of putting together an electronic bulletin board. It would be like a list service for

EMS medical directors in the State. This “bulletin board” would enhance communication and idea exchange between EMS medical directors across the State. The medical directors, after signing on, would have any needed updates.

Dr. Holley mentioned an issue about the use of “heparin locks”; an ambulance service had asked if they could heparin locks. The initial answer was the “no”; however, the issue is not over the use of an IV access port. The issue is over the use of heparin. There has been quite a bit of confusion about the use of heparin, not about INTs or saline locks or IV access ports. Dr. Holley wanted the Board to understand what the issue was in case a service in their areas inquired.

A fifteen (15) minute break was taken.

The meeting was called back to order. Chairman Ellenburg introduced the Administrative Law Judge, the Honorable Judge J. Randall LaFevor. Judge LaFevor asked the State Counsel, Ms. Elisha Hodge, for any changes to her agenda.

Ms. Hodge asked for the Michael Fuller case to be continued because the State lacks proof of service. She also requested the Kelly Hinkle case be continued to the next board meeting because the State had not received her signed copy of the Agreed Order.

Due to the fact these requests were made on the day of the hearings, Judge LaFevor asked Chairman Ellenburg for a vote on the matter.

Larry Griffin moved for the case of Kelly Hinkle to be continued on the advice of counsel; Dr. Julie Dunn offered the second. Chairman Ellenburg took a roll call vote on the Kelly Hinkle case continuance. All the members including the Chair voted yes. MOTION PASSED

On the request of a continuance for the Michael Fuller case, Larry Griffin moved that the case be continued on the advice of counsel; seconded by Ken Wilkerson. Again, a roll call vote was taken. The MOTION PASSED with all members and the Chair voting yes.

The meeting recessed for lunch.

Chairman Ellenburg called the meeting back to order.

Judge LaFevor called for the case of Lanette Stratton, Docket No.:17.34-072570A. Ms. Stratton was not represented by an attorney. Board Member, Ken Wilkerson, recused himself from the hearing.

Ms. Hodge presented the State’s case to the Board. Ms. Stratton also testified to the Board on her own behalf.

After Judge LaFevor gave the Board their instructions, Robert Byrd moved to accept the "Allegations of Fact" as written; seconded by Donald Mosby. The vote was:

Dr. Alderson	yes
David Baxter	yes
Susan Breeden	yes
Robert Byrd	yes
Dr. Dunn	yes
Susan Earl	yes
Larry Griffin	yes
Mark King	yes
Donald Mosby	yes
Dr. White	yes
Jackie Wilkerson	yes
Ken Wilkerson	recused
Chairman Ellenburg	yes

MOTION TO ACCEPT PASSED

Mark King made the motion to accept the "Causes of Action" for the "Conclusions of Law". Larry Griffin gave the second on the motion. By the roll call vote of:

Dr. Alderson	yes
David Baxter	yes
Susan Breeden	yes
Robert Byrd	yes
Dr. Dunn	yes
Susan Earl	yes
Larry Griffin	yes
Mark King	yes
Donald Mosby	yes
Dr. White	yes
Jackie Wilkerson	yes
Ken Wilkerson	recused
Chairman Ellenburg	yes

MOTION CARRIED

Larry Griffin made the motion for revocation of license; seconded by Robert Byrd. By the roll call vote of:

Dr. Alderson	no
David Baxter	yes
Susan Breeden	no

Robert Byrd	yes
Dr. Dunn	no
Susan Earl	no
Larry Griffin	yes
Mark King	no
Donald Mosby	no
Dr. White	no
Jackie Wilkerson	no
Ken Wilkerson	recused
Chairman Ellenburg	no

MOTION TO REVOKE **FAILED** WITH NINE (9) NO; THREE (3) YES

Jackie Wilkerson moved “for Ms. Statton be required to enroll in the TNPAP program and participate in random drug testing for two (2) years; Donald Mosby wanted to add “if she tested positive during that time her paramedic license will be automatically be revoked.” Jackie Wilkerson accepted the friendly amendment and Dr. Dunn seconded the motion. On this motion, the vote was:

Dr. Alderson	yes
David Baxter	yes
Susan Breeden	yes
Robert Byrd	yes
Dr. Dunn	yes
Susan Earl	yes
Larry Griffin	yes
Mark King	yes
Donald Mosby	yes
Dr. White	yes
Jackie Wilkerson	yes
Ken Wilkerson	recused
Chairman Ellenburg	no

MOTION CARRIED

Mark King moved for the policy statement to read “each case is based upon its own merit, testimony, evidence, and special circumstances and weight against the intent of the infraction as it relates to our rules and regulations. The Board does not endorse habitual drug use, but based on the testimony given to us today, there was reasonable doubt, and we feel that everybody deserves a second chance. So we are going to give you this opportunity of a second chance and see how it works out. We believe that in the long run that this will be best for the citizens of the State by you continuing to practice in society”. The policy statement was seconded by Susan Earl. By a voice vote, all seating members of the Board voted yes. MOTION CARRIED UNANIMOUSLY

Judge LaFevor turned the proceedings back to the Chair. Chairman Ellenburg called for fifteen (15) minute break.

After the break, Chairman Ellenburg took a count of the board members that would be able to attend the next day if necessary. There would be a quorum.

Chairman Ellenburg called Ms. Elisha Hodge, Office of General Counsel, to present the Consent Orders, Agreed Orders and Letters of Reprimand.

LETTER OF REPRIMAND – AMERICARE AMBULANCE SERVICE

Ms. Elisha Hodge distributed the letter of reprimand to the board members for review. Ms. Hodge explained the charges of altered ambulance records and informed the Board the service had also received a monetary civil penalty.

Mr. Larry Griffin asked for the record to show that the ambulance service went to a lot of trouble to do this; however, he did move to accept the Letter of Reprimand as presented. Jackie Wilkerson seconded the motion. A roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE LETTER OF REPRIMAND

LETTER OF REPRIMAND – ROMNEY CUMMINGS, EMT-IV

The document was distributed to the Board. After review of the document, Jackie Wilkerson made the motion “based on the investigation of the legal counsel, we accept the Letter of Reprimand; seconded by David Baxter.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE LETTER OF REPRIMAND

LETTER OF REPRIMAND – KRISTI KOHSER

Advisory Counsel, Ms. Juanita Presley, came forward to present the Letter of Reprimand on Ms. Kohser. After discussion of the reprimand, Dr. White moved to accept the Letter of Reprimand as presented; seconded by Dr. Dunn.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	no	Mark King	yes
Susan Breeden	yes	Donald Mosby	no
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

With a vote of two (2) no and 11 yes, MOTION CARRIED TO ACCEPT THE LETTER OF REPRIMAND

CONSENT ORDER – MICHAEL COUCH, EMT-P

Ms. Hodge distributed the document to the Board. After discussion on the Consent Order, Jackie Wilkerson made the motion **not** to accept the Consent Order; seconded by Robert Byrd. Question was called for. The vote was

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION **NOT** TO ACCEPT THE CONSENT ORDER PASSED

CONSENT ORDER – RICHARD MOSS, EMT-P

Ms. Hodge tendered the document to the Board. Jackie Wilkerson recused himself and left the hearing room.

After review and discussion of the one (1) year suspension consent order, Ken Wilkerson moved to accept the Consent Order as presented. Dr. Dunn made the second on the motion. A roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	recused
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE CONSENT ORDER

CONSENT ORDER – GREGORY S. CRAVEN

Ms. Presley presented the Consent Order on Mr. Craven to the Board. Ken Wilkerson recused himself from the proceeding and left the room.

This case had been reviewed by the screening panel which recommended;

- (a) His license shall be placed on probation for a period of two (2) years commencing on the effective date of this Order.
- (b) To receive one (1) year of professional counseling for drug abuse addiction also commencing on the effective date of the Order.
- (c) He shall be subjected to random drug screens from a board approved vendor for the entire two (2) year probationary period; and, he shall be responsible for obtaining and maintaining a board approved vendor for the drug screening during the entire two (2) years.
- (d) If, at any time during the probationary period, the Respondent fails to comply with the terms set forth in (b) and/or (c), the Respondent shall be in violation of the Consent Order, and the probation will remain in effect until such time he appears before the Board, and the Board makes a determination regarding the violation.

Mr. Craven has been advised in writing of his responsibilities on signing the order.

Jackie Wilkerson moved to follow the screening panel's recommendation and accept the Consent Order; seconded by Robert Byrd.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	recused
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE CONSENT ORDER

CONSENT ORDER – CHRISTOPHER R. WILSON

The consent order was distributed to the Board. Mr. Wilson had appeared before the screening panel on June 6, 2005 and entered into an agreement and returned his signed document. The screening panel decided he would be suspended for one (1) year, commencing on the effective date of the Consent Order; and, immediately after the one year suspension period, the Respondent's license will be on probation for a period of one (1) year. Anytime during the suspension period the Respondent practices or holds himself out as an EMT, he will be violation of this order, and shall appear before the Board.

Jackie Wilkerson moved to accept the Consent Order as presented; seconded by David Baxter. By a roll call vote,

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	yes	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE CONSENT ORDER

AGREED ORDER – TRACY SEBASTIAN, EMT-P

Robert Byrd recused himself from the proceedings and left the room.

Ms. Hodge reported on the history of the case and distributed the Agreed Order to the Board for revocation of his license.

Ken Wilkerson made the motion to accept the Agreed Order as presented. Susan Earl seconded the motion. A roll call vote was taken.

Dr. Alderson	yes	Larry Griffin	yes
David Baxter	yes	Mark King	yes
Susan Breeden	yes	Donald Mosby	yes
Robert Byrd	recused	Dr. White	yes
Dr. Dunn	yes	Jackie Wilkerson	yes
Susan Earl	yes	Ken Wilkerson	yes
Chairman Ellenburg	yes		

MOTION CARRIED TO ACCEPT THE AGREED ORDER

Ms. Hodge wanted to let the Board know that anytime a case has an involvement of drug issues, she always give the person an opportunity to admit his/her problem and offers them rehab assistance.

Ms. Hodge also explained the process of investigations, case reviews, screening panel participation and Agreed Order and Consent Orders.

TNPAP PRESENTATION

Copies of the TNPAP agreement between the participant and the program were distributed to the Board. Mike Harkreader, Director of Tennessee Professional Assistance Program, reviewed the agreement for the Board. He also gave a description of the steps of the program when a participant is referred to them or is a self-referral. The program is not only for substance abuse, but also for mental health issues, professional boundary and significant anger management,

Chairman Ellenburg asked the Board for a vote on whether to continue and try to finish, or come back the next day. Dr. Julie Dunn moved to continue; seconded by Susan Breeden. The vote was taken and the motion passed to continue.

Chairman Ellenburg called for a break. After the break committee reports began.

AIR AMBULANCE COMMITTEE

Richard Land introduced the Chairman of the Air Ambulance Committee, Mr. Steve Straughen. Mr. Land reported the committee conducted a telephone conference call on March 29, 2005 and had a committee meeting on May 17 at Cookeville Regional Medical Center. The FAA is due to release guidelines for proposed rules about the helicopter air ambulance programs at any time.

At the May 17th meeting, the committee adopted the Commission on Accreditation of Medical Transport System accreditation standards as the reference standard for hospital fixed wing ambulance services.

Upon committee recommendation, Mel Hughes, Erlanger Life Force Chief Pilot, was asked to contact the aviation leadership of each program regarding the development of the standard protocol for multiple air medical response missions. This would involve any multiple incidents, but primarily for trauma patients.

The next meeting of the committee will be August 10, 2005. It is scheduled to be held at the Flight Standards District Office of the Federal Aviation Administration.

COMMUNICATIONS COMMITTEE-RICHARD LAND

At the March 29, 2005 meeting, the committee with the regional medical communications center developed and submitted a request for over \$790,000 for assistance from the Hospital Terrorism Preparedness Program. The document was processed through the Hospital Advisory Committee at their May 24, 2005 meeting and approved. This proposal eliminated any request for funding of personnel and deferred to any development of request on the local information systems.

At the February medical directors' conference, the department made a presentation for a hospital tracking system. Monies have been budgeted to implement a program over a two (2) period. The system will be similar to an "Intranet" system to connect the regional medical communication centers and determine emergency and bed resources of each hospital in the state. This system will be detrimental in a disaster situation, and helpful in information status on any diversion of facilities.

Mr. Land thank the committee members; Louis Cartwright, Mike McKeever, Rick Neathery and Randy Porter for their assistance in the modifications on the base specifications and development of cost estimates.

A communications planning meeting was held June 2, 2005 with Region 39. Region 39 consists of Tennessee and seventy (70) miles into each adjacent state. A 700-megahertz frequency spectrum use plan was approved.

The system has encountered interference on the 800 public safety radios from Nextel for several years. The Federal Communications Commission has ordered them to pay for the modifications to all public safety systems in the United States. The modifications are to be implemented in October. With these modifications, every 800 public safety radio will have to be reprogrammed. A 50-megahertz shift in spectrum will be assigned. Radio technicians will need a signed contract with Nextel by October 1st for each entity that has the 800-megahertz system.

Arnold Hooper, of Chattanooga and Hamilton County Emergency Communications, advised the committee of the situation of radios that would not be able to accommodate the spectrum redevelopment.

A plan of the new 4.9 gigahertz public safety wireless data system was announced at the Region 39 meeting. This will be for Internet access via broad band connections by public safety users which include EMS. This system will enable the communications where there are not any 800 or 700 megahertz to use wireless connections within approximately eighteen (18) miles of facility stations. The development of this plan will have a major impact on the major highways and interstates of Tennessee.

EDUCATION COMMITTEE-DONNA TIDWELL

The Education Committee meeting was held on June 21, 2005 at the Mid Cumberland Regional Office. Ms. Tidwell distributed a written report to the Board.

The sub-committee is working on the revisions of 1200-12-1-.13, EMT-Paramedic training program. They have finished the revision recommendation which will be distributed to the Education Committee for review. Comments will be submitted at the next meeting in September.

Glenn Faught reported to the committee on the progress of the Licensure Exam findings. This sub-committee was formed by the request of the Board to look at other vendors for Tennessee's examination. Upon the completion of the rule change requiring National Registry to an "EMS Board approved program, the sub-committee will move forward with finding other vendors.

The instructor-coordinator conference will be held in July at the Park Vista in Gatlinburg, Tennessee. The instructors will be completing the National Association of EMS Educators emergency medical service educator course. This course is a national course development on the DOT guidelines. The Board approved this course last year for qualifying instructors in Tennessee.

CRITICAL CARE PARAMEDIC-DONNA TIDWELL

The rules for Critical Care Paramedic and the educational objectives and standards have been drafted. Ms. Tidwell distributed a "draft" copy to each Board member for their review. The standards will include the clinical requirements, clinical competencies and the instructor qualifications for each module.

Two (2) chapters are still in process; special considerations and critical transports. Barry Dennis, of Jackson-Madison County ER, is working on the special considerations. Ms. Maria Smith, Knoxville, is working on the critical transport chapters. Upon completion of these chapters, Ms. Tidwell will send via e-mail the documents to the board members for their review.

Further discussion and consideration on this draft will come before the Board in September, 2005.

Chairman Ellenburg thanked Ms. Tidwell and the committee for all the time and effort put into the development of this program.

STAFF REPORTS

BIOTERRORISM – DONNA TIDWELL

Ms. Bonnie Maynard, Nashville Fire Department, and Mr. Greg Miller, Walter State Community College will attend the National Incident Management System Conference in Maryland. The EMS portion of this program was developed by the State EMS Directors Association, working with FEMA, NHSTA and the U.S. Fire Academy administration. This is a train "the trainer" program of incident command for EMS, fire services and unified multi-agents response to catastrophic events.

After completion of this course, Ms. Maynard and Mr. Miller will be able to offer training for one (1) training coordinator from each of Tennessee's services; one instructor from the twenty-eight (28) EMT programs, and one (1) instructor from each paramedic program. After these selected persons are trained, they will return to their services or programs to train those individuals on the new NIMS program. This program is a federal mandate for any state to receive homeland security funding. The timeframe of October 2005 thru October 2006 is scheduled to have all trainers and services in compliance. Most all of the expense will be covered by the grant.

The second bioterrorism preparedness CD will be committed to incendiary devices and be developed by Paratus .

EMITS – DONNA TIDWELL

The statistical data of the EMITS program was distributed to the board members. As of Monday, June 20th, 111 services out of 162 services have signed on and set up their account. Out of the 111, 101 of those services have entered at least one run report in the system.

There are 1,718 users on the system, with 58,845 runs entered in the system since March 15, 2005.

The report showed the following data: 36,837 911 responses; 12,035 medical transports; 11,843 interfacility transfers; 333 standbys; 108 intercepts and 101 mutual aid responses. This report did not include any service waiting on a third party.

Chris Kohler, program developer and systems supervisor, went to Washington to meet with the NHSTA. This was a meeting for vendors. Since Tennessee developed it's own program to collect data, we are considered a vendor.

At the NHSTA presentation, there were some changes in the SSDs, which they have given us to collect. At this time, June 15th is the target date to start beta

testing some XML files and allowing third party downloads from a few services. By July 1st, the plan is to be ready for downloads from everyone.

The State and the Tennessee ambulance services will be able to use the information reports from the data for different types of grants and funding.

PERSONNEL – DONNA TIDWELL

The regions tested 518 EMT-IVs in May. About 600 people were licensed in June with 700 new people licensed for EMT-IV.

COMMITTEE REPORT

TRAUMA CARE ADVISORY COUNCIL – DR. JULIE DUNN

The Council met in May in Bell Buckle, Tennessee. With the changes in TennCare, the Council has great concern about the survival of the Tennessee trauma system. The system needs a list of objectives and state wide organization. The number one problem is funding; therefore, a legislative action group was formed. This group will hopefully make the Tennessee legislature aware of the daily problems the institutions face.

Attention was given to the reactivation of the Tennessee Chapter of the American Trauma Society to help with the situation.

The trauma care registry is extremely important helping to define injury prevention and gathering data for strategies to improve the system and to acquire grant information.

The Council hopes to meet each quarter to move forward on the objectives that have established.

STAFF REPORTS

LEGISLATION UPDATE – JOE PHILLIPS

Richard Land reported in the absence of Mr. Phillips. Six (6) bills having a direct impact on EMS have been passed in the General Assembly 2005 session.

Two (2) of the most important are the establishment of the trauma registry, which amends T.C.A. 68-11-259, and the EMITS program. Both of these programs will collect information to substantiate information for grants and funding.

Another bill is called the “Vanessa Free Emergency Driver Training Act”. This involved an incident of a young woman being killed in a collision with an

emergency vehicle. The legislature has ordered all vehicle operators who operate an emergency vehicle in the State of Tennessee receive in-service training specific to the operation of that peculiar vehicle. This will require two(2) hours of in-service training and then an annual examination. At a future date, the EMS Board will be involved in developing the examinations to the operation of an emergency medical services' vehicle.

Another resolution was to integrate a stroke care program. Donna Tidwell chairs the Education and EMS subcommittee of the American Stroke Association, which is now meeting on these concerns. This also addresses the transportation to rehab facilities which puts a tremendous burden on the EMS transportation system.

A complete report detailing all legislative bills was distributed to the board members.

RURAL AED GRANT – RICHARD LAND

An additional \$121,000 has been received toward rural access to emergency devices program.

The previous defibrillators were recalled by the manufacturer in November 2004. A meeting was held with the State purchasing officials. A pre-bid conference was conducted on January 6, 2005, and the bids were released. Bids closed on March 29, 2005; however, there has been a vendor protest. We should now soon on the disposition of the protest.

Unfortunately, not all units will be able to be replaced. Once the cost is known, the advisory committee will initiate the priority for the replacements.

RULES PROCESSING – RICHARD LAND

A new policy on the processing of rules has been established. This new process will expedite the process to the Attorney General's office. As the distributed report showed the dates of "what-where-who" of the rule, this process will be more adequate in a providing a timely execution of a rule.

AMBULANCE SERVICES – RICHARD LAND

Terrie Finch reported of the 161 ambulance services, there were 37 services left to process. There had been some difficulty in the receipt of insurance documents; however, over-all, the process of changing to a fiscal year renewal was going very well.

MOVE TO NEW LOCATION – DONNA TIDWELL

Ms. Tidwell announced a delay in the move to Metro Center, which would make the September Board Meeting still held at the Cordell Hull Building.

APPROVAL OF MARCH MEETING MINUTES

Robert Byrd moved to approve the minutes as presented; seconded by Jackie Wilkerson. By a voice vote, the board voted yes to approve; no one was opposed.

There was not any new business or announcements to come before the Board.

Chairman Ellenburg entertained a motion to adjourn; so moved by Ken Wilkerson and a second by Susan Breeden. All board members voted yes.

Respectfully submitted,

Terrie Finch
Administrative Assistant
Emergency Medical Services
Tennessee Dept of Health

